

REMARKS

Claims 21-25 are allowed. Claims 17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have so rewritten claims 17 and 19 in independent form. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner rejected claims 12, 14, 15, 18 and 20 under 35 U.S.C. §102(b) as being anticipated by Bryant et al. (U.S. patent No. 6,159,807).

The Examiner rejected claims 13 and 16 under 35 U.S.C. §103(a) as being unpatentable over Bryant.

Applicants respectfully traverse the §102 and §103 rejections with the following arguments.

35 U.S.C. §102

The Examiner rejected claims 12, 14, 15, 18 and 20 under 35 U.S.C. §102(b) as being anticipated by Bryant et al. (U.S. patent No. 6,159,807).

Applicants respectfully contend that Bryant does not anticipate claim 12, because Bryant does not teach each and every feature of claim 12. For example, Bryant does not teach "a gate structure in direct mechanical contact with the transistor body first vertical edge". The Examiner alleges that Bryant discloses in Figures 1, 3, and 4: a gate structure 56; and a first vertical edge of the transistor 42 that is the edge near the left trench 50. Applicants contend, however, that Figure 3f of Bryant clearly shows that the gate structure 56 is not in direct mechanical contact with the edge of the transistor 42 that is near the left trench 50.

Based on the preceding arguments, Applicants respectfully maintain that Bryant does not anticipate claim 12, and that claim 12 is in condition for allowance. Since claims 14, 15, 18, and 20 depend from claim 12, Applicants respectfully contend that claims 14, 15, 18, and 20 are likewise in condition for allowance.

35 U.S.C. §103

The Examiner rejected claims 13 and 16 under 35 U.S.C. §103(a) as being unpatentable over Bryant. Since claims 13 and 16 depend from claim 12, which Applicants have argued *supra* to be patentable under 35 U.S.C. §102, Applicants maintain that claims 13 and 16 are not unpatentable under 35 U.S.C. §103(a).

09/683,486

9

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims 12-20 and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

Date: 07/11/2003

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850

Jack P. Friedman
Jack P. Friedman
Registration No. 44,688

FAX RECEIVED

JUL 11 2003

TECHNOLOGY CENTER 2800

09/683,486

10